

ASSEMBLY BILL

No. 445

Introduced by Assembly Member Salas

February 24, 2009

An act to amend Section 106955 of the Health and Safety Code, relating to radiological technologists.

LEGISLATIVE COUNSEL'S DIGEST

AB 445, as introduced, Salas. Use of X-ray equipment: prohibition: exemptions.

Existing law establishes various programs for the prevention of disease and the promotion of health to be administered by the State Department of Public Health, including, but not limited to, a program for the certification and regulation of radiological technologists. Existing law, with certain exceptions, prohibits a person from operating or maintaining any X-ray fluoroscope, or other equipment or apparatus employing roentgen rays, in the fitting of shoes or other footwear or in the viewing of bones in the feet. Violation of these provisions is a crime.

This bill would, in addition, exempt from this prohibition the use of a mini C-arm digital radiography device in connection with the diagnosis of bone fractures, in a licensed trauma center or an emergency department of a licensed hospital, by an orthopedic resident, an orthopedic nurse practitioner, or a physician assistant, when under the direct or indirect supervision of a certified radiological technologist.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 106955 of the Health and Safety Code is amended to read:

106955. (a) No person shall operate or maintain any X-ray fluoroscope, or other equipment or apparatus employing roentgen rays, in the fitting of shoes or other footwear or in the viewing of bones in the feet. ~~This section~~

(b) ~~Subdivision (a)~~ shall not apply to any ~~licensed~~ of the following:

(1) A licensed physician and surgeon, podiatrist, chiropractor, or any person practicing a licensed healing art, or any technician working under the direct and immediate supervision of those persons. ~~Any~~

(2) *The use of a mini C-arm digital radiography device, that emits short pulsed doses of radiation, in connection with the diagnosis of bone fractures, in a licensed trauma center or an emergency department of a licensed hospital, by an orthopedic resident, an orthopedic nurse practitioner, or a physician assistant, when under the direct or indirect supervision of a certified radiological technologist. For the purposes of this paragraph, indirect supervision does not require the continual presence of the certified radiological technologist if the technologist is otherwise available to provide guidance or answer questions.*

(c) A person violating this section shall be guilty of a misdemeanor.